

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF NEW YORK

DAVID R. JONES,

Plaintiff,

v.

9:07-CV-0193

CENTRAL NEW YORK PSYCHIATRIC CENTER;
S. DBLOVO, T.A. Officer, CNY Psychiatric Center;
CLORCK, T.A. Officer, CNY Psychiatric Center;
ERICK, T.A. Officer,

Defendants.

APPEARANCES:

OF COUNSEL:

DAVID R. JONES, 03-B-1993
Plaintiff, *Pro Se*
Elmira Correctional Facility
P.O. Box 500
Elmira, NY 14902
Last Known Address

HON. ANDREW M. CUOMO
Attorney General for the State of New York
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MARIA MORAN, ESQ.
Assistant Attorney General

NORMAN A. MORDUE, CHIEF JUDGE

ORDER

The above matter comes to me following a Report-Recommendation by Magistrate Judge George H. Lowe, duly filed on the 25th day of February, 2008. Following ten days from the service thereof, the Clerk has sent me the file, including any and all objections filed by the parties herein.

Such Report-Recommendation, which was mailed to plaintiff's last known residence, was

returned to the Court as undeliverable to plaintiff at such address. *See* Dkt. No. 16.

Additionally, plaintiff was previously advised by the Court that plaintiff was required to promptly notify the Clerk's Office of any change in his address, and that failure to keep such office apprised of his current address would result in the dismissal of the instant action. *See* Dkt. No. 5.

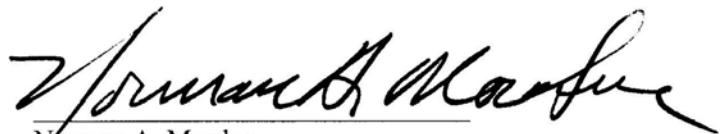
After careful review of all of the papers herein, including the Magistrate Judge's Report-Recommendation, and no objections submitted thereto, it is

ORDERED, that:

1. The Report-Recommendation is hereby adopted in its entirety.
2. The Defendant CNYPC's motion to dismiss for failure to state a claim (Dkt. No. 12) is granted.
3. Plaintiff's remaining claims in this action are dismissed *sua sponte* for failure to prosecute, and/or for failure to comply with an order of the Court.
4. The Clerk of the Court shall serve a copy of this Order upon all parties and the Magistrate Judge assigned to this case.

IT IS SO ORDERED.

Dated: March 18, 2008
Syracuse, New York



Norman A. Mordue
Chief United States District Court Judge